

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/704,262	11/01/2000	Robert Philips	48452-049

Proskauer Rose LLP  
 Patent Department  
 1585 Broadway  
 New York, NY 10036

**RECEIVED**

OCT 28 2003

Technology Center 2100

CONFIRMATION NO. 3550

ABANDONMENT/TERMINATION  
LETTER

\*OC000000010222607\*

Date Mailed: 06/09/2003

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/22/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

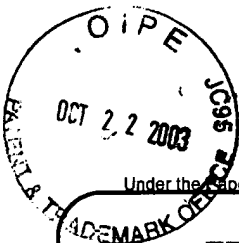
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09704262 00000001 162500 JTIPPETT 02/09/2004

01 FC:1001 710.00 DA  
 02 FC:1201 240.00 DA  
 03 FC:1202 2592.00 DA  
 04 FC:1051 130.00 DA



OCT 24 2003

9200

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/704,262
Filing Date	November 1, 2000
First Named Inventor	Robert S. PHILIPS
Art Unit	
Examiner Name	
Attorney Docket Number	48452-049

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**ENCLOSURES (Check all that apply)**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) ( Sheets)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br>1. executed Declaration/POA<br>2. Docket Sheet<br>3. Notice of Abandonment |
|--|---|---|

Remarks

Express Mail Label No.: ET346994479US

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Evan L. Kahn; Reg. No. 35,912; Proskauer Rose LLP
Signature	<i>Evan L. Kahn</i>
Date	October 22, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date October 22, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

#4



US Ser. No. 09/704,262

Attorney Docket No.: 48452-049

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of	:	Robert S. Philips et al.
Serial No.	:	09/704,262
Filing Date	:	November 1, 2000
Title of the Invention	:	INTERNET-BASED SHARED FILE SERVICE WITH NATIVE PC CLIENT ACCESS AND SEMANTICS

**PETITION TO THE  
COMMISSIONER  
UNDER 37 C.F.R.  
§1.181 TO  
WITHDRAW  
HOLDING OF  
ABANDONMENT**

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OCT 28 2003

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail Mailing Label No.

ET346994479US

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Sir:

This is a Petition to Withdraw the Holding of Abandonment of the above-identified patent application. The facts of such abandonment are as follows. A Notice of Abandonment, mailed on **June 9, 2003**, and received by this office, indicates that the above-identified patent application went abandoned for "failure to timely or properly respond to the Notice to File Missing Parts (Notice) mailed on March 22, 2001." However, such a Notice was not received by anyone in the office of the undersigned. A search of the file jacket and docket records maintained in the office of the undersigned indicates that this Notice was not received by this office. A copy of the docket record where the Notice would have been entered is attached hereto as evidence of non-receipt of the Notice.

The Applicants were not aware that the above-identified application became abandoned prior to receiving the Notice of Abandonment, which was mailed to the Applicants' attorney on June 9, 2003 (27 months after the application became abandoned), as evidenced by the following actions undertaken by the Applicants in this application:

- a) Assignment Document was submitted for recordation on November 17, 2000;
- b) An Information Disclosure Statement was submitted on May 9, 2001;
- c) A Supplemental Information Disclosure Statement was submitted on May 18, 2001;
- d) A Preliminary Amendment was submitted on February 14, 2002; and
- e) A Status Request letter was submitted on September 23, 2002, to which no reply was received.

At no time were the undersigned attorneys notified in writing, by telephone, or otherwise that this application was held abandoned prior to receiving the Notice of Abandonment dated June 9, 2003.

Accordingly, the Applicants respectfully request that the holding of abandonment of the above-identified patent application be withdrawn. Enclosed herewith is an executed Declaration/Power of Attorney documents submitted in response to the Notice to File Missing Parts. In addition, the Commissioner is authorized to charge the Deposit Account No. 16-2500 of the undersigned, at the large entity status rate, the filing fee, the fee for extra claims, and any other fee necessary to comply with the requirements listed in the Notice to File Missing Parts for the above-identified application, or occasioned by this Petition.

Thank you for your consideration.

Respectfully submitted,  
PROSKAUER ROSE LLP  
Attorneys for Applicants

Dated: October 22, 2003

By: Evan L. Kahn  
Evan L. Kahn  
Reg. No. 35,912

PROSKAUER ROSE LLP  
1585 Broadway  
New York, N.Y. 10036-8299  
(212) 939-3000

Enclosures: Docket Sheet  
Executed Declaration/POA  
Notice of Abandonment

PR# 48452-049

PRINTED ON: 10/22/2003

COUNTRY	US	UNITED STATES	TITLE	
NEW/CON	FCA	SERIAL#	09/704,262	INTERNET-BASED SHARED FILE SERVICE WITH NATIVE PC CLIENT ACCESS AND SEMANTICS
RELATED	48452-089	PATENT#		
TYPE	UTL	STATUS	PENDING	
CLIENT	48452	MANGOSOFT, INC.	1	CREF
AGENT				AREF

PRIOR	11/1/1999
MAIL	11/1/2000
FILE	11/1/2000
PUBL	
ISSUE	
1ST	11/1/2000
EXP	11/1/2020

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
PC	N	POST CARD CHECK	11/1/2000	1M	12/1/2000		12/1/2000	0	12/5/2000	0M	N	N	Y
FS	N	FILG RCPT STATUS CHK	11/1/2000	8M	7/1/2001		7/1/2001	0	4/2/2001	0M	N	N	Y
SC	N	STATUS CHECK	2/14/2002	18M	8/14/2003	0	8/14/2003	0		1M	Y	Y	Y

2/14/02 Preliminary Amendment filed by GIG. Satus request filed 9/23

<b>INVENTORS</b>
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DAVID PORTER

<b>ASSIGNEES</b>
MANGOSOFT CORP.

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PRIOR APPLICATIONS						
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION	TYPE	
48452-089	US	60/163,008	11/1/1999	INTERNET-BASED SHARED FILE SERVICE WITH NATIVE PC CLIENT ACCESS AND SEMANTICS	APPL	
48452-020	US	08/754,481	11/26/1996	SHARED MEMORY COMPUTER NETWORKS	APPL	

USER-DEFINABLE FIELDS		PATENT FIELDS	
ART#		SMALL ENTITY	NO
LOC		CLAIMS	146
		PUBLICATION#	
		ART UNIT	
		EXAMINER	
		CONFIRM#	

P08622US03 ENTERED 11/3/2000 MODIFIED 6/2/2003 BY JCA ATTORNEYS ELK / TH / SS

## NOTES

02/14/02 GIG filed Preliminary Amendmet.